



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Douglas C. Williams) Art Unit 1772
Application No. 10/037,632) Examiner: Brian P. Egan
Filed: 1/3/2002)
For: *Method and Article of Manufacture for*) Peoria, IL 61602-1241
Sealing a Roof)
Attorney Docket No. 69035-001)

DECLARATION UNDER 37 CFR §1.132

Douglas C. Williams, having personal knowledge of facts set forth herein, hereby declares that:

1. I am an inventor of U.S. Patent Application No. 10/037,632, which was filed on January 3, 2002, for the invention entitled: Method and Article of Manufacture for Sealing a Roof.
2. I have complete two and one-half (2 1/2) years of study in architectural construction technology at Illinois Central College.
3. I have over sixteen (16) years of experience as a roofer and homebuilder.
4. I have owned my own construction company for eleven (11) years. I am currently the President of Doug Williams Construction, which was incorporated in 1997.

5. I have been licensed by the Illinois Department of Professional Regulation in the field roof installation and repair. My Illinois license number is 104-009488.

6. I have worked in the field of home construction for sixteen (16) years, and I am well familiar with the steps in assembling a roof, as well as the invention claimed in the above application.

7. I understand that the Examiner in the above application has rejected the claims stating that most of the claims are unpatentable over Simpson et al. (U.S. Patent No. 5,096,759) in view of Harkness (U.S. Patent No. 4,775,567). Neither Simpson nor Harkness disclose my invention. My invention fulfills a long felt but unresolved need in the roof construction industry which is not taught or suggested by any of the references cited in the Office Action.

For many years, roofers have been faced with the task of installing underlayment such as Weather Watch® or Weather Guard®. These products come in a 3 foot wide roll having an adhesive backing. Installation of the underlayment is difficult, if not dangerous. A typical installation requires the roofer to walk along the edge of the roof while peeling the adhesive backing and pressing the underlayment onto the roof. Many roofers have been severely injured in attempting this process.

An additional problem with a product, such as Weather Watch® or Weather Guard®, is that it kinks easily. Typically, installation of the underlayment is complicated by weather. In very windy days, it is extremely difficult to lay the underlayment completely flat. The underlayment must be flat for proper installation of the roof shingles. As such, the roofer must remove the underlayment and begin again.

My invention eliminates the need for such hazardous work. My invention also prohibits any kinks in the underlayment. Roofer's have had the need for a product that eliminates these concerns but no one before me has provided such a solution.

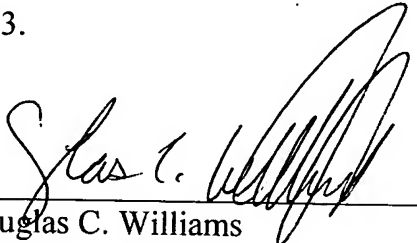
Additionally, my invention expedites assembly of a roof. The roofer places the pre-assembly forming my invention upon the roof rafters and secures each pre-assembly

to the roof rafters. This eliminates several steps in the construction of a roof and also prevents the occurrence of costly construction errors.

My invention also has the added benefit that the vapor, water and ice resistant layer automatically seals around the fastener thereby increasing its weather resistance. While the preferred material may have had this capability before, no one before me has seized upon this functionality. This functionality allows for an economical embodiment of my invention. If the vapor, water, and ice resistant layer did not seal around the fastener, then complicated and expensive devices would be necessary to secure the pre-assembly to the roof rafters. Because of this ideal sealing functionality, a roofer may simply nail through the pre-assembly to attach it to the roof rafters.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this 3rd day of November 2003.



Douglas C. Williams